

# Exhibit 8

CISLO &amp; THOMAS LLP 10:42:42 05/21/05

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Catherine O'Connor, Esq.  
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Re: Sensitech Inc. et al. v. Time 'N Temperature Company  
Civil Action No. 04-11483 MLW  
U.S. District Court - District of Massachusetts  
Our Docket No. 04-13777

Dear Catherine:

Pursuant to our telephone conversation of earlier this week, Time 'N Temperature ("TNT") plans to bring a motion to dismiss for failure to state a claim. In our view, the complaint fails to give TNT fair notice of the claims against it because the complaint fails to identify the allegedly infringing products. Moreover, the complaint fails to state any basis for Sensitech's alleged infringement beliefs.

*Ondeo Nalco Company v. EKA Chemicals, Inc.*, 2002 U.S. Dist. LEXIS 26195 (Dist. Delaware) provides support for our position. In *Nalco*, the defendant brought counterclaims for patent infringement and identified the allegedly infringing products as "Nalco's products including the 8692 product." The *Nalco* court dismissed the claim holding: "With the exception of the description of the 8692 product, the pleadings are too vague to provide plaintiff with fair notice of which products are alleged to be infringing." The instant complaint fails to identify even a single allegedly infringing product and likewise fails to state any basis for Sensitech's alleged infringement beliefs.

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May-20-2005 05:54pm From:Cislo & Thomas

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Pursuant to Local Rule 7-3, in order to alleviate the need for our proposed motion, TNT desires to give Sensitech the opportunity to voluntarily cure the defects in its pleadings. Please advise if Sensitech will voluntarily amend its complaint to identify the allegedly infringing products and the basis upon which it founds its infringement beliefs.

Very truly yours,

CISLO & THOMAS LLP



David B. Sandelands

cc: Daniel M. Cislo, Esq.  
Chip Bissell, Esq. (via fax: 805-649-0723)